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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA, SAN FRANCISCO DIVISION

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14 IN RE: TFT-LCD (FLAT PANEL)
ANTITRUST LITIGATION

Case No. MDL 3:07-md-1827 SI

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16 This Document Relates to:

CLASS ACTION

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ALL DIRECT PURCHASER ACTIONS

**DIRECT PURCHASER CLASS
PLAINTIFFS' ADMINISTRATIVE
MOTION FOR ORDER APPROVING
PAYMENT TO CLAIMS
ADMINISTRATOR**

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Honorable Susan Illston

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1 Pursuant to Local Rule 7-11, Direct Purchaser Plaintiffs ("DPPs") bring this administrative
 2 motion for an order approving payment to the Claims Administrator, RUST Consulting ("RUST"),
 3 for notice and claims administration services, as detailed below.

4 DPPs have previously reached settlements totaling \$405,022,242 (the "Settlement Fund")
 5 with the Chimei, Chunghwa, Epson, Hannstar, Hitachi, LG Display, Mitsui, Samsung, Sanyo, and
 6 Sharp Defendants (the "Settling Defendants"). Those settlements were finally approved by the
 7 Court on February 18, 2011(ECF No. 2475) and December 27, 2011. (ECF No. 4438.)
 8 Declaration of Robert G. Retana In Support of Administrative Motion for Order Approving
 9 Payment to Claims Administrator ("Retana Decl."), filed herewith, ¶ 3. Since then, *inter alia*,
 10 DPPs have entered into settlements with the remaining defendants, AUO and Toshiba. Those
 11 settlements were preliminarily approved on August 10, 2012 (ECF No. 6437) and October 15,
 12 2012 (ECF No. 6988), respectively.¹

13 Each of the settlements agreement that have been finally approved provide that certain
 14 maximum amounts from the settlements may be used for the cost of class notice and claims
 15 administration. Retana Decl., ¶ 4. Those amounts are as follows:

<u>Defendant</u>	<u>Amount</u>
ChiMei:	\$400,000
Chunghwa:	\$400,000
Epson:	\$400,000
Hannstar:	\$200,000
Hitachi:	\$400,000
LG Display:	\$400,000
Mitsui:	\$100,000
Samsung:	\$400,000
Sanyo:	\$100,000
<u>Sharp:</u>	<u>\$400,000</u>
Total:	\$3,200,000

24 ¹ DPPs make this request via an administrative motion, rather than by stipulation, because the
 25 Settling Defendants have no interest in the Settlement Fund at this point. Having paid their
 26 respective settlement amounts into the Settlement Fund, and final judgment having been entered,
 27 Settling Defendants relinquished any responsibility for the administration of those funds.
 However, the Court retains jurisdiction with respect to disposition of the Settlement Fund. Retana
 Decl., ¶ 7.

1 *Id.*

2 To date, \$745,981.47 has been paid to RUST for notice and claims administration services.
3 That amount was paid from the Settlement Fund. Retana Decl., ¶ 5. There are currently
4 outstanding charges of \$232,477.35 for services provided from February of 2012 through August
5 of 2012. *Id.*, Exh. A. There is more than sufficient money left to cover the outstanding charges
6 from the above-listed amounts allocated for notice and administration from the settlement
7 agreements. *Id.*, ¶ 6.

8 DPPs therefore respectfully request that the Court issue an order authorizing disbursement
9 of \$232,477.35 to RUST from the Settlement Fund.

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11 DATED: October 22, 2012

12 **PEARSON, SIMON, WARSHAW & PENNY, LLP**
LIEFF, CABRASER, HEIMANN & BERNSTEIN,
LLP

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By: _____ /s/ *Robert G. Retana*

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Robert G. Retana

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Co-Lead Counsel for Direct Purchaser Class Plaintiffs

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